

Members

Sen. Beverly Gard, Chairperson
Sen. Frank Mrvan
Sen. Edward Charbonneau
Sen. Sue Errington
Rep. Ryan Dvorak
Rep. David Wolkins
Rep. Matt Pierce
Rep. Timothy Neese
Doug Meyer
Stephen L. Murray
Dave Wyeth
Dwayne Burke
Stacy Herr
John Hardwick
Art Umble
Calvin Davidson
Jon H. Moll
Thomas Easterly



ENVIRONMENTAL QUALITY SERVICE COUNCIL

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Robert Bond, Attorney for the Council
Bernadette Bartlett, Fiscal Analyst for the Council

Authority: IC 13-13-7

MEETING MINUTES¹

Meeting Date: September 2, 2009
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington
St., Senate Chamber
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Sen. Beverly Gard, Chairperson; Sen. Frank Mrvan; Sen. Edward Charbonneau; Rep. Ryan Dvorak; Rep. David Wolkins; Doug Meyer; Dwayne Burke; John Hardwick; Calvin Davidson; Jon H. Moll.

Members Absent: Sen. Sue Errington; Rep. Matt Pierce; Rep. Timothy Neese; Stephen L. Murray; Dave Wyeth; Stacy Herr; Art Umble; Thomas Easterly.

1. Call to Order Sen. Gard called the meeting to order at 10:05 AM.

2. Administrative Matters

The members of the Council were introduced. Sen. Gard extended her best wishes

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

to Commissioner Tom Easterly of the Indiana Department of Environmental Management (IDEM) for his quick recovery and early return. Sen. Gard distributed a schedule for the four remaining meetings of the Council this interim along with the agenda for each meeting (Exhibit 1).

IDEM distributed to Council members documents (Exhibit 2) for the Council members to review, including an Enforceable Operating Agreement Program Report, an Administratively Extended NPDES Permits Report, Enforcement Data, and a Legislative Report on CFO/CAFO Activities. (IDEM will also submit these reports to the Legislative Services Agency. The reports will then appear on www.in.gov/legislative/igareports/agency/idem.html, typically within one or two days after they are submitted.)

3. IDEM Presentations

IDEM Assistant Commissioners Dan Murray, Bruno Pigott, and Bruce Palin gave a presentation (see, Exhibit 2) that included accomplishments and agency initiatives, updates for the Office of Air Quality, Office of Water Quality, and Office of Land Quality, 2009 legislation implementation, and a discussion of issues and suggestions for further study concerning petroleum cleanup programs.

In response to questions from Council members, the presenters:

Indicated that compliance statistics encompass both reporting and inspection metrics.

Stated that the average load of an IDEM employee for the review of permit applications and preparation of permits is between eight and fifteen, depending on complexity.

Described the steps in the processing of a permit application.

Observed minimal public response to recent changes that ended contracts with local air pollution control agencies and restructured the enforcement process within IDEM.

Stated IDEM's position on the use of dedicated funds.

Indicated that there is currently no regulation of odors from accumulations of grass clippings and other vegetation.

Indicated that IDEM will wait for federal action before acting on any state greenhouse gas emission or trading program.

Indicated that IDEM is not aware of any permit applicant intentionally submitting a late application in order to have a permit administratively extended.

Addressed IDEM's ongoing communications with local communities concerning storm water issues and the use of storm water revenue.

With respect to the Underground Petroleum Storage Tank Excess Liability Trust Fund, addressed applicants' awareness of annual caps, the typical applicant's interest in the land under remediation, the relative frequency of spills by applicants, and the limits on IDEM's expenditures for administrative costs.

4. Adjournment Sen. Gard adjourned the meeting at 12:05 PM.